REMARKS

Claims 23, 45 and 55 have been amended to improve readability.

Interview Summary:

A telephonic interview was held on August 22, 2007. The Examiner is thanked for granting this interview. During the interview, Applicant's representative described how the claims distinguished over the prior art of record. The Examiner noted that he had seen several other prior art references that he planned to cite in his Examiner's Interview Summary for Applicant's consideration. An analysis of the cited references will be provided at the end of these Remarks.

Various claims including independent claims 1, 23, 26, 45, 48 and 55 and various dependent claims were rejected in the Office Action under 35 USC 103(e) as obvious over Schleicher (20030115119) in view of Yehia (US 2002/0147726), and further in view of ON2. This rejection is respectfully traversed and reconsideration thereof is requested.

The claims are directed to a program product, system and method for creating a display of an electronic order form with specific characteristics. Those characteristics, in the case of claims 1, 26 and 48 are "a display option to the buyer to generate an order to a supplier for an individual store only or to order for a plurality of stores of the buyer;" and "if an order is to be generated for a plurality of stores of the buyer, displaying a single electronic order form for generating an order for the plurality of different stores associated with the buyer system ID, wherein a designation for each of the plurality of the stores is displayed, with each different store having a separate order amount field."

Paragraphs 0049-0053 of Schleicher are referenced in the Office Action for disclosing the claimed features. Specifically, paragraphs 0049-0050 relate to multiple trading partner buyers dropping off purchase orders with a distributor which are then mapped to a standard purchase order format. Paragraphs 0051-0053 disclose multiple purchase orders existing within a document, which are then "extracted out and put individually into the message queue that starts a new purchase order process per document 506." This does not disclose using a

single electronic order form for purchasing for multiple stores of a buyer, but teaches away from it. There is no disclosure in the reference of a display claim element "wherein a designation for each of the plurality of the stores is displayed, with each different store having a separate order amount field." There is nothing in Schleicher about an ordering interface for a single buyer to order for multiple locations/stores controlled by the buyer.

Yehia does not make up for this deficiency. Yehia relates to creating, distributing and enforcing business rules. Yehia does not disclose a "selectable" option, much less the organization by stores associated with a single buyer system ID.

ON2 as defined in the Office Action dated January 11, 2007 relates to displaying products by brand or supplier. Applicants traverse this finding by the Examiner and request the examiner to support that point. The ON2 Official Notice is for displaying "purchaseable products by brand/supplier or by item categories." However, the claims do not refer to displaying by brand/supplier. Rather, the claim calls for displaying a "plurality of different fulfillment sections in the fulfillment electronic order form associated with a different store from a group of stores associated with that buyer system ID." In other words, the display relates to buyer facilities, not suppliers or brands. ON2 does not relate to displaying by buyer stores associated with a given system ID.

The independent claims 23, 45 and 55 are directed to generating a single electronic order form for a plurality of stores associated with a buyer system ID, the display "selectable between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different store from a group of stores associated with that buyer system ID and listing in the fulfillment section the one or more items ordered for that store and with each different listed item in the fulfillment section having at least one parameter field to be populated (a store organization), and between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different item ordered from the supplier and listing in the fulfillment section the stores associated with that buyer system ID that are being supplied with that item and with each different listed item in the fulfillment section having at least one parameter field to be populated (an item organization)."

As noted above, these claimed features are not disclosed by Schleicher, which relates to extracting out multiple orders and starting a new purchase order for each.

Likewise, Yehia does not disclose such a "selectable" option, much less the organization by stores associated with a single buyer system ID.

As noted, the Official Notice ON2 relates to displaying "purchaseable products by brand/supplier or by item categories" However, claims 23, 45 and 55 do not refer to displaying by brand/supplier. Rather, the claim calls for displaying a "plurality of different fulfillment sections in the fulfillment electronic order form associated with a different store from a group of stores associated with that buyer system ID." In other words, the display relates to buyer facilities, not suppliers. Likewise, the other selectable option is for the display of each item to be ordered in a different fulfillment section, "and listing in the fulfillment section the stores associated with that buyer system ID that are being supplied with that item." These features are not disclosed in Yehia or in ON2.

Applicants also traverse ON1 and request reference support by the examiner, although applicants are not clear about how ON1 is being applied in a claim for creating a display for a single buyer that controls multiple sites.

In his Interview Summary, the Examiner cited four new references. Below, as requested by the Examiner, is an analysis of those four references and how the claims distinguish thereover.

Referring first to Clark (US 6,351,738), there is disclosed a collective business system including independent participants engaged in a common field of business endeavor, a plurality of suppliers of business support mechanisms of interest to the participants and a for-profit hub business entity for managing transactions between the suppliers, the participants and their customers. Under the system, the independently owned and operated participants are assigned geographically protected business locations, as well as one or more of volume discounts of goods and services, national marketing capacity, discount capital financing for purchase of costly technology and machinery, access to information technology, logistics support or other business support mechanisms. The system enables the participants to compete effectively with much larger corporate or similar entities or franchises.

Clark describes an e-commerce system at column 11. Clark notes that the system uses "standardized interactive electronic forms" as well as a purchase order form. See column 11, lines 37-43. Clark does not disclose a "selectable" option, nor the organization by stores associated with a single buyer system ID. Specifically, at least the elements of program code or logic "for providing a display option to the buyer to generate an order to a supplier for an individual store only or to order for a plurality of stores of the buyer;" and program code or logic for "if an order is to be generated for a plurality of stores of the buyer, causing display of a single electronic order form for generating an order for the plurality of different stores associated with the buyer system ID, wherein a designation for each of the plurality of the stores is displayed, with each different store having a separate order amount field;" of claims 1, 26 and 48 are not disclosed by Clark. Likewise, the claim element of program code or logic for "displaying a single fulfillment electronic form, selectable between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different store from a group of stores associated with that buyer system ID and listing in the fulfillment section one or more items ordered for that store and with each different listed item in the fulfillment section having at least one parameter field to be populated (a store organization), and between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different item ordered from the supplier and listing in the fulfillment section the stores associated with that buyer system ID that are being supplied with that item and with each different listed item in the fulfillment section having at least one parameter field to be populated (an item organization);" of claims 23, 45 and 55 is not disclosed by Clark.

Pishevar (US 7,124,107) discloses a collective procurement management system which permits multiple potential purchasers of a specific item or service to submit orders for the item or service on an ongoing basis. As orders enter the system, they are grouped such that potential purchasers "cooperate" in generating a collective bulk order so that all participants obtain discount/volume pricing. Once a threshold level of order volume is obtained as a result of multiple orders, the grouped order is submitted to the supplier for fulfillment. The order is then fulfilled at a volume pricing level although individual portions of the collective order are routed to a plurality of purchasers. Pishevar also includes a Reverse Auction Process (RAP) which, in one embodiment, operates to allow potential

purchasers to select a product or service and set a maximum price that they are willing to pay for the same. Pishevar discloses an order submission interface at Fig. 5, which is described at column 8, line 38 – column 9, line 57. Additionally, there is disclosure of the use of an Internet browser that uses an icon to allow buyers to join groups, at column 15, lines 20-67.

However, Pishevar does not disclose a "selectable" option, nor the organization by stores associated with a single buyer system ID. Specifically, at least the elements of program code or logic "for providing a display option to the buyer to generate an order to a supplier for an individual store only or to order for a plurality of stores of the buyer;" and program code or logic for "if an order is to be generated for a plurality of stores of the buyer, causing display of a single electronic order form for generating an order for the plurality of different stores associated with the buyer system ID, wherein a designation for each of the plurality of the stores is displayed, with each different store having a separate order amount field;" of claims 1, 26 and 48 are not disclosed by Pishevar. Likewise, the claim element of program code or logic for "displaying a single fulfillment electronic form, selectable between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different store from a group of stores associated with that buyer system ID and listing in the fulfillment section one or more items ordered for that store and with each different listed item in the fulfillment section having at least one parameter field to be populated (a store organization), and between displaying each of a plurality of different fulfillment sections in the fulfillment electronic order form associated with a different item ordered from the supplier and listing in the fulfillment section the stores associated with that buyer system ID that are being supplied with that item and with each different listed item in the fulfillment section having at least one parameter field to be populated (an item organization);" of claims 23, 45 and 55 is not disclosed by Pishevar. .

Referring to Neumayer (US 2002/0169679), there is disclosed an aggregation engine for aggregating individual buyer orders either within a company or within a group into a single purchase order to obtain volume discounts. An inbound interface is used (paragraph 19) to receive buyer demands which are then grouped according to certain rules (paragraph 24). Conditions to join a given group are determined (paragraphs 37-38). The aggregation engine then aggregates the separate buyer demands by groups, such as same product, same

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ship-to party and same month of delivery (paragraph 40) and a purchase order is prepared. The aggregation process is performed over a predetermined period, such as a week (paragraph 41). A standard interface for the aggregation interface 110 is used (paragraph 46).

Neumayer is directed to aggregating purchase demands from disparate buyers. This is not pertinent to the claim, which is directed to a single buyer who may chose to buy for a single store or multiple stores that it controls via a specially designed graphical user interface per the claim. Thus, Neumayer is missing the same elements as Clark and Peshevar.

Conkel (US 2004/0107141) discloses a method of food production based on point-of-sale terminal order entry. Reference is made to order entry via an order entry module 18 at paragraphs 33-35. Table 2 provides an order entry display for a restaurant 10. Fig. 5 provides the order process for a store, per step 510. Fig. 6 show the logic for a store creating, finalizing and transmitting the order form to the central management office (paragraph 106). The transmission logic for posting orders from the stores to a distribution center is shown in Fig. 7. (paragraphs 107 and 109).

Conkel does not disclose a "selectable" option. The same claim features are missing from Conkel as in the other references discussed above.

To summarize, the references do not relate to creating an ordering interface for a single buyer to order for multiple locations that it controls. Likewise, there is nothing in the references to allow this buyer interface to be selectable between an organization by stores controlled by a given buyer or by items purchased by the individual stores controlled by the given buyer. Thus, the claims are patentable and early passage to issue is requested.
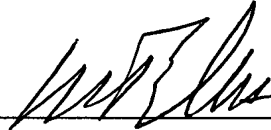
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby

petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date <u>September 27, 2007</u>   By _____

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